

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

In re:

Pamela Fae Peele,

Debtor.

Case No. 13-cv-03853-JEC

Bank of America, N.A.,

Appellant,

v.

Pamela Fae Peele,

Appellee.

**BANK OF AMERICA, N.A.'S STATEMENT OF ISSUE AND
DESIGNATION OF ITEMS TO BE INCLUDED IN THE RECORD ON
APPEAL TO THE ELEVENTH CIRCUIT ON APPEAL**

Appellant Bank of America, N.A. hereby submits this Statement of Issues and Designation of Record On Appeal with respect to this appeal of the final order and judgment of the United States District Court for the Northern District of Georgia (Carnes, J.), entered on December 16 and 23, 2013.

STATEMENT OF ISSUE

Bank of America states that this appeal presents the following issue:

Whether the Bankruptcy Code permits a chapter 7 debtor to “strip off” a junior mortgage lien when the value of the property securing that lien is less than the amount of outstanding debt secured by a senior mortgage lien on the property.

DESIGNATION OF RECORD ON APPEAL

Bank of America designates the following items for inclusion in the record of this appeal:

In re Pamela Fae Peele

Case No. 12-81760-wlh (Bankr. N.D. Ga)

Filing Date	Docket No.	Docket Text
July 29, 2013	42	Motion to Strip Lien with Bank of America, NA filed by E. L. Clark on behalf of Pamela Fae Peele. Hearing to be held on 8/29/2013 at 10:30 AM in Courtroom 1403, Atlanta, (Clark, E.) Modified text on 7/30/2013 (srw).
Oct. 9, 2013	49	Response to Motion <i>and Motion to Hold in Abeyance Debtor's Motion to Determine Secured Status</i> filed by J. Kelsey Grodzicki on behalf of BANK OF AMERICA, N.A.. (Attachments: # 1 Exhibit "A" - Text of Proposed Order)(related document(s) 42 Motion to Strip Lien filed by Pamela Fae Peele) (Grodzicki, J.)
Oct. 18, 2013	52	Order GRANTING Motion to Determine Secured Status of Claim of Junior Lien Holder Bank of America, N.A. (Related Doc # 42) Service by BNC. Entered on 10/18/2013. (lhd)

Oct. 21, 2013	54	Notice of Appeal to District Court. Fee Amount \$298 filed by J. Kelsey Grodzicki on behalf of BANK OF AMERICA, N.A.. Appellant Designation due by 11/4/2013, submission due by 11/20/2013, (related document(s) 52 Order on Motion to Strip Lien)(Grodzicki, J.)
Oct. 21, 2013	56	Statement of Issues on Appeal <i>and Designation of the Record on Appeal</i> filed by J. Kelsey Grodzicki on behalf of BANK OF AMERICA, N.A.. (Grodzicki, J.)

Bank of America, N.A. v. Pamela Fae Peele
Case No. 1:13-cv-03853-JEC (N.D. Ga)

Filing Date	Docket No.	Docket Text
Nov. 22, 2013	3	MOTION for Order <i>Affirming Decision of Bankruptcy Court</i> with Brief In Support by Bank of America, N.A.. (Attachments: # 1 Exhibit "A" - Order, # 2 Exhibit "B" - Text of Proposed Order)(Grodzicki, Joseph) (Entered: 11/22/2013)
Dec. 16, 2013	7	ORDER granting 3 Bank of America's Motion for Summary Affirmance Subject to Appellate Review. Signed by Judge Julie E. Carnes on 12/16/13. (ddm) (Entered: 12/16/2013)
Dec. 23, 2013	8	CLERK'S JUDGMENT entered affirming the Order entered on October 18, 2013 in USBC. (ddm)--Please refer to http://www.ca11.uscourts.gov to obtain an appeals jurisdiction checklist-- (Entered: 12/23/2013)
Dec. 23, 2013	9	NOTICE OF APPEAL as to 7 Order on Motion for Order, 8 Clerk's Judgment by Bank of America, N.A.. Filing fee \$ 505, receipt number 113E-4948818. Transcript Order Form

		due on 1/6/2014 (Grodzicki, Joseph) (Entered: 12/23/2013)
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Respectfully submitted, this 23rd day of December, 2013.

/s/ J. Kelsey Grodzicki

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FONT CERTIFICATION

The undersigned counsel for Bank of America, N.A. hereby certifies that the within and foregoing was prepared using Times New Roman, 14-point font in accordance with LR 5.1(B).

This 23rd day of December, 2013.

/s/ J. Kelsey Grodzicki
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CERTIFICATE OF SERVICE

I hereby certify that I have this 23rd day of December, 2013, served all parties in this matter with the foregoing by CM/ECF and by placing a true and correct copy of same in the United States Mail, with first-class prepaid postage affixed thereto, properly addressed as follows:

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